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9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. *2011-461*

12 **VIRGINIA RILEY SAVELY, a.k.a.**  
13 **VIRGINIA DOHERTY, a.k.a. VIRGINIA**  
**WILLIAMS**  
14 **2013 A Ashby Avenue**  
**Austin, TX 78704**  
15 **Registered Nurse License No. 657846**  
**Nurse Practitioner Certificate No. 15661**  
16 **Nurse Practitioner Furnishing Certificate**  
**No. 15661**

**A C C U S A T I O N**

17 Respondent.

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20 Complainant alleges:

21 PARTIES

22 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
23 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department  
24 of Consumer Affairs.

25 2. On or about May 19, 2005, the Board of Registered Nursing issued Registered Nurse  
26 License Number 657846 to Virginia Riley Savely, also known as Virginia Doherty, also known  
27 as Virginia Williams (Respondent). The Registered Nurse License was in full force and effect at  
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1 all times relevant to the charges brought in this Accusation and will expire on November 30,  
2 2012, unless renewed.

3 3. On or about May 25, 2005, the Board of Registered Nursing issued Nurse Practitioner  
4 Certificate Number 15661 to Respondent. The Nurse Practitioner Certificate was in full force and  
5 effect at all times relevant to the charges brought in this Accusation and will expire on November  
6 30, 2012.

7 4. On or about August 9, 2005, the Board of Registered Nursing issued Nurse Practitioner  
8 Furnishing Certificate Number 15661 to Respondent. The Nurse Practitioner Furnishing  
9 Certificate was in full force and effect at all times relevant to the charges brought in this  
10 Accusation and will expire on November 30, 2012.

#### 11 JURISDICTION

12 5. This Accusation is brought before the Board of Registered Nursing (Board),  
13 Department of Consumer Affairs, under the authority of the following laws. All section  
14 references are to the Business and Professions Code unless otherwise indicated.

15 6. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part,  
16 that the Board may discipline any licensee, including a licensee holding a temporary or an  
17 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the  
18 Nursing Practice Act.

19 7. Section 2764 of the Code provides, in pertinent part, that the expiration of a license  
20 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the  
21 licensee or to render a decision imposing discipline on the license. Under section 2811,  
22 subdivision (b) of the Code, the Board may renew an expired license at any time within eight  
23 years after the expiration.

24 8. Section 118, subdivision (b) of the Code provides, in pertinent part, that the  
25 expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary  
26 action during the period within which the license may be renewed, restored, reissued or  
27 reinstated.

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1 Agreed Order, successfully complete a six-hour minimum course in nursing documentation; and  
2 (5) pay a monetary fine.

3 12. The underlying conduct supporting the Texas Board's disciplinary action is that while  
4 employed as a Family Nurse Practitioner at South Austin Family Practice Clinic in Austin, Texas  
5 from on or about July 11, 2002, through on or about February 12, 2003, Respondent failed to use  
6 appropriate physician-delegated protocols while managing medical aspects of care for a patient.  
7 The protocols were in compliance with the Texas Board's requirements. As a result of  
8 Respondent's failure to use protocols, she ordered antibiotic therapies for the patient that were at  
9 subtherapeutic levels and were not included in the patient's protocols. In addition, Respondent  
10 failed to document in the patient's medical record the reasons and rationale for the antibiotics that  
11 she ordered. Respondent also failed to document collaboration, if any, with other physicians with  
12 whom she consulted regarding the patient's care. Respondent's conduct resulted in an incomplete  
13 medical record.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 657846, issued to Virginia Riley Savely, also known as Virginia Doherty, also known as Virginia Williams;

2. Revoking or suspending Nurse Practitioner Certificate Number 15661, issued to Virginia Riley Savely, also known as Virginia Doherty, also known as Virginia Williams;

3. Revoking or suspending Nurse Practitioner Furnishing Certificate Number 15661, issued to Virginia Riley Savely, also known as Virginia Doherty, also known as Virginia Williams;

4. Ordering Virginia Riley Savely, also known as Virginia Doherty, also known as Virginia Williams to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

5. Taking such other and further action as deemed necessary and proper.

DATED:

*November 15, 2010*

*Louise R. Bailey*  
LOUISE R. BAILEY, M.ED., RN  
Interim Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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